

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Counsel for Defendants and counsel for Plaintiff have conferred and are in agreement regarding the requested stay.

In support of their joint motion, Defendants and Plaintiff state as follows:

1. The Complaint in this action was filed in the Court of Common Pleas for Tuscarawas County, Ohio on March 21, 2013. Defendants removed the action to this Court on April 22, 2013. By order dated April 26, 2013, this Court granted Defendants' Stipulated Motion for Extension of Time to Respond to Complaint. Pursuant to that Order, Defendants' response to the Complaint is currently due May 29, 2013.

2. As required by JPML Rule 6.2, Defendants on May 7, 2013 filed a Notice of Tag-Along Action, notifying the Clerk of the JPML that this action is a potential tag-along to the actions consolidated in the LIBOR MDL.

3. On May 10, 2013, the JPML issued an order conditionally transferring this action to the MDL, pursuant to 28 U.S.C. § 1407. Following briefing, the JPML will issue an order either permanently transferring this matter to the Southern District of New York or denying transfer. *See* JPML Rule 7.1.

4. Staying this action pending decision by the JPML will advance the purposes of the MDL proceedings to further judicial economy and to eliminate the potential for conflicting pretrial rulings, by ensuring that two substantially similar actions do not proceed separately before two judges in different district courts across the country.

WHEREFORE, Defendants and Plaintiff respectfully request that the Court enter an order staying Defendants' time to answer or otherwise respond to the Complaint and other proceedings until either (1) Judge Buchwald enters a scheduling order for this action in the

LIBOR MDL (in the event that this action is transferred); or, (2) 30 days after the JPML enters an order denying transfer.

Dated: May 16, 2013

Respectfully submitted,

/s/ Tracy A. Turoff
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Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on May 14, 2013, a true and correct copy of the foregoing document was filed electronically. Notification of this filing will be sent to the parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Tracy A. Turoff

Tracy A. Turoff